

REMARKS

1. Applicant thanks the Examiner for his remarks and observations which have greatly assisted Applicant in responding.

2. **35 U.S.C. § 102**

Claims 1-7, 13-19, 25 and 27 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. patent no. 6,717, 607 ("Lauper").

Claim 1: The Examiner relies on col. 8, lines 38-67 of Lauper as teaching "said hub receiving an audio only signal from each site." Applicant respectfully disagrees.

Lauper describes two separate embodiments. The first, shown in Fig. 1, includes a plurality of communication units and a central unit wherein "[p]articipant image data and participant audio data are transmitted by the communications unit 20 to a central unit 30." Col. 5, lines 37-38. There, the participant image data and audio data are stored in a data store. Col. 6, lines 46-47. In addition to the participant image data and the audio data, the central unit also receives from the respective communications units the eye tracking data that is indicative of the respective user's direction of view and the participant image data shown in the direction of view, etc. Col. 6, line 67 to col. 7, line 3.

The participant image data of that participant whose participant image data are shown in a reproduction device of a communications unit in the momentary direction of view of the corresponding participant are sent to that communications unit in full resolution. The participant image data of the remaining participants is sent in reduced resolution or at a reduced transmission rate. Col. 6, line 50 to line 62.

Within this embodiment, there exists an additional embodiment, wherein the video transmission rate may be reduced to zero only for the participant data which are not shown in the reproduction device in the direction of view of the participant. Col. 8, lines 38-41. Lauper implicitly describes that it is only the

signal transmitted to the communications unit from the central unit wherein the video transmission rate is selectively reduced to zero. This is so because nowhere in the description of the first embodiment is there any indication that the communication units receive eye-tracking data from each other, or that they have the capability of processing eye-tracking data and generating a separate signal for each of the other communication units wherein each separate signal is uniquely adapted to each respective unit according to the respective unit's eye-tracking data, or that they can request particular participant data from each other according to their own eye-tracking data. Accordingly, the central unit receives both audio and video data from each communication unit. There is no teaching that the central unit (hub) receives audio only from any communication unit.

Lauper's second embodiment, shown in Fig. 2, involves only communication units directly linked with each other, without the mediation of the central unit. In the Fig. 2 embodiment, the respective communication units, based on interpretation of their own eye-tracking data, determine the resolution and/or the transmission rate of the participant data and request that data from the other communication units. Again, within this embodiment, there exists another embodiment wherein that transmission rate for the video data may be selectively set to zero. Because no hub is involved in this embodiment at all, it adds nothing to the teachings of the first embodiment.

There is therefore no teaching in Lauper of said hub receiving an audio only signal from each site.

Applicant also respectfully points out that claim 1 describes both "receiving a composite audio and video signal" and the hub receiving an audio-only signal from each site. Even if it were correct that the hub receives an audio-only signal from each site, it would do so to the exclusion of receiving a composite signal.

Even if it were somehow true that the communication units were capable of the processing required to reduce the transmission rate of some of the participant images, they would still transmit the image of the participant within the observer's direction of view. Thus, even in such a case, there would be no teaching in Lauper of receiving an audio-only signal at the hub.

The Examiner relies on Lauper, col. 6, lines 42-46 as teaching "determining for each site a currently displayed composite audio and video signal, and transmitting said currently displayed composite audio and video signal to each of said sites." Applicant respectfully disagrees. There is no mention whatsoever in Lauper of a composite signal. The cited portion of Lauper merely describes that the image data is transmitted and that the audio data and image data are stored at the central unit. Lauper is completely silent as to the manner in which the audio data and image data are transmitted. It cannot be discerned from Lauper's disclosure whether the two data types are transmitted as a composite signal or as separate signals.

The Examiner relies on col. 8, lines 38-67 of Lauper as teaching "wherein said hub routes all incoming audio only signals to each site." Applicant respectfully disagrees. As Applicant has demonstrated, Lauper's central unit (hub) receives no audio-only signals. Even if it were correct that Lauper's central unit did receive audio only signals, the central unit does not transmit "all incoming audio only signals to each site." As previously shown, the central unit transmits a different signal to each communication unit, based on the eye-tracking data from that unit. Accordingly, there is no teaching in Lauper of "wherein said hub routes all incoming audio only signals to each site."

Because Lauper fails to teach or suggest each and every element of claim 1, the present rejection of claim 1 is without merit. Claim 1 is therefore deemed to be allowable. The above remarks regarding claim 1 apply equally to claims 13 and 25 and 27. Accordingly, these claims are also deemed allowable. In view of their dependence from allowable parent claims, the dependent claims are deemed allowable without any separate consideration of their merits.

3. 35 U.S.C. § 103

Claims 8-9, 12, 20-21, 24, 26 and 28 are rejected as being unpatentable over Lauper in view of U.S. patent no. 6,442,758 ("Jang"). In view of the above remarks regarding the independent claims, the present rejection is deemed improper.

4. For the record, Applicant respectfully traverses any and all factual assertions in the file that are not supported by documentary evidence. Such include assertions based on findings of inherency, assertions based on official notice, and any other assertions of what is well known or commonly known in the prior art.

CONCLUSION

In view of the foregoing, the Application is deemed in allowable condition. Accordingly, Applicant respectfully requests reconsideration and prompt allowance of the claims. Should the Examiner have any questions regarding the Application, he is invited to contact Applicant's attorney at 650-474-8400.

Respectfully submitted,

Michael A. Glenn
Reg. No. 30,176

Customer Number: 22862